

## NJM/SKW F. #2015R01171

## **U.S. Department of Justice**

United States Attorney Eastern District of New York

271 Cadman Plaza East Brooklyn, New York 11201

July 28, 2023

## By ECF and Email

The Honorable Brian M. Cogan United States District Court Eastern District of New York United States Courthouse 225 Cadman Plaza East Brooklyn, New York 11201

Re: United States v. Kaveh Lotfolah Afrasiabi

Criminal Docket No. 21-46 (BMC)

## Dear Judge Cogan:

The government respectfully writes regarding the trial date and pre-trial briefing and disclosure schedule in the above-captioned matter.

On March 7, 2023, the Court entered an order scheduling the trial in this case to begin on October 24, 2023, "except that if stand-by counsel's trial in Arizona is not adjourned before 10/10/23, then trial of this case shall proceed on 1/8/24."

Based on conversations with counsel and the defendant, the government understands that counsel's trial calendar has not cleared (and is unlikely to clear), and that the defendant separately wishes for trial to be adjourned. Accordingly, the government does not oppose an adjournment of the trial to January 2024. The government is prepared to proceed at the Court's convenience and prefers to proceed as early as possible, although counsel has requested an adjournment until March, and the defendant has requested an adjournment until February or March.

The government further requests that the Court set dates for pretrial motions and disclosures, in accordance with the below schedule.

Deadline For:	Proposed Days Before Trial:	Proposed Date if Trial Set for 1/8/24:
Motions in limine	60	11/9/23
Opposition to motions in limine	46	11/22/23 (note: one day early because of Thanksgiving)
Reply in support of motions in limine	39	11/30/23
Disclosure of Exhibits and Materials Pursuant to 18 U.S.C. § 3500	14	12/22/23 (note: three days early because of Christmas)
Requests to Charge	14	12/22/23 (note: three days early because of Christmas)
Proposed Voir Dire	14	12/22/23 (note: three days early because of Christmas)

Respectfully submitted,

BREON PEACE United States Attorney

By: /s/

Nicholas J. Moscow Sara K. Winik

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cc: Clerk of Court (BMC) (by ECF and Email) Kaveh Lotfolah Afrasiabi (pro se defendant) (by Email) Sabrina Shroff, Esq. (standby counsel) (by Email)